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Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions*

Addendum

Observations on communications transmitted to Governments and replies received

* Reproduced as received.

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I. Introduction

1. The present report contains observations by the Special Rapporteur on extrajudicial, summary or arbitrary executions on communications sent between 1 March 2015 and 29 February 2016 and responses received from States and other actors between 1 May 2015 and 30 April 2016. During the period under review, the Special Rapporteur sent a total of 115 communications to 44 States and 2 other actors. 104 communications were sent jointly with other mandates, while 11 communications were sent by this mandate alone. Of all communications sent, 68 were urgent appeals and 47 were allegation letters.

2. It has been a long-term practice of the mandate to report to the Council on the communications sent to States and the replies received, initially in the main body of annual reports, and later in addendums. In 2005 the Special Rapporteur tabulated communications for the first time. This predated the practice of Special Procedures more broadly issuing a joint communications report at each session of the Human Rights Council, (most recently A/32/53), which was a welcome development. The Special Rapporteur takes the opportunity in this, his final submission to the Council, to reflect briefly on the practice. In this report, he retains the tabulated record of communications, while at the same time adds some analysis of the trends of communications sent, replies received, and some general reflections on certain of the subjects raised.

3. The communications procedure of the Special Rapporteur's mandate is something which takes a great deal of time, and it is important for the Council to be regularly apprised of the substance of this work in a manner that is useful and engaging. From the perspective of individual cases taken up, and from the perspective of reforms that might result from these illustrative examples of State practice, it is important that there be some kind of follow-up to the initial communication.

4. The joint communications report provides basic statistics with respect to the responsiveness of States overall to different mandates. With respect to this mandate, the Special Rapporteur received responses to 53 out of 115 communications sent within the reporting period. He thanks all Governments who have replied to his communications for their cooperation. 62 of the communications are yet to be responded to. In this period, the Special Rapporteur also received replies to 8 previous communications, i.e. sent prior to the reporting period for which he is grateful. This means the overall timely response rate for communications sent by this mandate is 46 per cent. While slightly higher than the system-wide reply rate for Special Procedures communications (42 per cent in 2015), it should be much higher. Moreover it should be noted that some of the responses included in this number are also purely procedural in nature

5. In its resolution 26/12, the Human Rights Council urged States "[t]o cooperate with and assist the Special Rapporteur in the performance of his or her tasks, to supply all necessary information requested by him or her and to react appropriately and expeditiously to his or her urgent appeals, and those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to do so without further delay". Therefore, the Special Rapporteur reiterates his appeal to all Governments to respond to communications in a timely manner so as to assist and cooperate with his mandate efficiently in accordance with Human Rights Council Resolution 26/12.

6. However, the most meaningful follow-up on the contents of the communications between the Special Rapporteur and a particular State, including—vitally—the response of the Government, can often be done by the source of the original information (in most cases either a lawyer representing the victim of his/her family, or a national human rights organisations). The Special Rapporteur believes that it is important that the sources are routinely and automatically informed after the suitable delay of confidentiality has elapsed both of the fact that a communication was sent and whether a response has been received.

The system should be set up in such a way that the source automatically receives copies of or links to the relevant correspondence once it is available.

7. The Special Rapporteur notes the role that could be played in this regard by NHRIs and Ombudspersons as well as UN human rights offices or country teams. Such institutions play a valuable role in following up on the recommendations made by Special Rapporteurs during their country visits, but could be perhaps more directly involved in the process of communications, once the initial communication, along with any reply from the Government, have been made public. The possibility that they are also given the automatic notification mentioned in the previous paragraph should be investigated.

8. In his final observations on communications report, the Special Rapporteur has experimented with a slightly different format, attempting to offer some follow-up information and commentary on the communications sent as part of his mandate. It will be a question for his successor as to whether this is a practice to continue. The Special Rapporteur would welcome feedback from States, NGOs and other users on whether this format works for them and how it can be improved

9. This report compiles in two tables the correspondence sent and received during the period under review: Tabulation (A) of cases transmitted and replies received to communications sent during the reporting period, and Tabulation (B) of cases transmitted to States concerning alleged violations of death penalty safeguards. At the end of each tabulation, the Special Rapporteur offers his observations on the communications sent and the replies received during the reporting period.

II. Tabulation (A) of cases transmitted and replies received to communications sent during the reporting period

10. In Tabulation (A) all communications have been grouped by country, with countries listed alphabetically according to their names in English. The electronic version of the present document has each communication sent and reply received hyperlinked, and clicking on them will open the communication sent and the reply from the concerned State, respectively, as uploaded on the OHCHR website. All communications are also available in the Special Procedures communication reports.

11. Each communication is referenced as urgent appeal (UA), allegation letter (AL), joint urgent appeal (JUA) and joint allegation letter (JAL). This is followed by the date when the communication was issued, as well as the case number and, when applicable, the State's reply.

A. Violations alleged

12. In Tabulation (A) on communications and replies, the violations are classified into the following categories, using the short versions in parentheses:

(a) Non-respect of international standards on safeguards and restrictions relating to the imposition of capital punishment ("Death penalty safeguards");

(b) Death threats and fear of imminent extrajudicial executions by State officials, paramilitary groups, or groups cooperating with or tolerated by the Government, as well as unidentified persons who may be linked to the categories mentioned above, when the Government is failing to take appropriate protection measures ("Death threats");

(c) Deaths in custody owing to torture, neglect, or the use of force, or fear of death in custody due to life-threatening conditions of detention ("Deaths in custody");

(d) Deaths due to the use of force by law enforcement officials or persons acting in direct or indirect compliance with the State, when the use of force is inconsistent with the criteria of absolute necessity and proportionality ("Excessive force");

(e) Deaths due to attacks or killings by security forces of the State, or by paramilitary groups, death squads, or other private forces cooperating with or tolerated by the State ("Attacks or killings");

(f) Violations of the right to life during armed conflict, especially of the civilian population and other non-combatants, contrary to international humanitarian law ("Armed conflict");

(g) Expulsion, refoulement, or return of persons to a country or a place where their lives are in danger ("Expulsion");

(h) Lack of investigation or accountability, leading to impunity, lack of compensation or concerns for the rights of victims ("Impunity").

(i) Concerns about a legislative framework ("Legislation").

B. Character of replies received

13. The replies received have been classified according to the following six categories designed to assist the Human Rights Council in its task of evaluating the responses received to the communications sent within the reporting period and the effectiveness of the mandate:

(a) "No response" denotes the absence of a response to a communication sent within the reporting period;

(b) "Recent communication" denotes the absence of a response to a communication sent within the past 60 days;

(c) "Acknowledgement of receipt" refers to a reply acknowledging receipt that the communication was received and/or that it has been transmitted to the relevant State authorities;

(d) "Addresses some substantive issues" characterizes a reply that provided information on certain substantive issues raised in the communication;

(e) "Substantive response" denotes a reply that is responsive to the allegations and that substantively clarifies the facts. It does not, however, imply that the action taken necessarily complies with international human rights law.

(f) "Translation awaited" indicates that a response has been received, but has not yet been translated by the relevant services of the United Nations.

C. Tabulation (A)

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
Afghanistan	JAL	17/12/2015 (AFG 3/2015)	Group of individuals	No response	Attacks or killings
Australia	AL	20/11/2015 (AUS 8/2015)	1 male	Addresses some substantive issues 07/01/2016	Death penalty safeguards
Bahrain	JUA	23/11/2015 (BHR 7/2015)	2 males	Addresses some substantive issues 23/02/2016	Death penalty safeguards
Bangladesh	JAL	10/04/2015 (BGD 1/2015)	Group of individuals (49 individuals)	Acknowledgement of receipt 17/04/2015	Attacks or killings, excessive force; Impunity
	JAL	30/04/2015 (BGD 2/2015)	2 males (journalists/bloggers)	Acknowledgement of receipt 05/07/2015	Attacks or killings; death threats
	JUA	23/11/2015 (BGD 8/2015)	2 males	No response	Death penalty safeguards
	JAL	24/11/2015 (BGD 7/2015)	2 males (writers/publishers)	Acknowledgement of receipt 25/11/2015	Attacks or killings
Belarus	JUA	17/04/2015 (BLR 1/2015)	1 male (human rights lawyer)	Substantive response 12/06/2015	Death threats; Impunity
Brazil	AL	21/07/2015 (BRA 3/2015)	1 male	No response	Attacks or killings; excessive force

* Type of Communication: UA: Urgent Appeal; JUA: Joint Urgent Appeal; AL: Letter of Allegation; JAL: Joint Letter of Allegation.

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
	JUA	09/10/2015 (BRA 7/2015)	Group of individuals (human rights defenders and indigenous community	Substantive response 09/12/2015	Attacks or killings; death threats
Burundi	JUA	30/04/2015 (BDI 3/2015)	Group of individuals (protesters, human rights defender)	Addressees some substantive issues 04/05/2015	Excessive force; attacks or killings
	JUA	13/11/2015 (BDI 5/2015)	Group of individuals (including political activists and protesters)	Substantive response 07/01/2016 Substantive response 29/01/2016	Excessive force; attacks or killings; death in custody
Central African Republic	JAL	02/09/2015 (CAF 1/2015)	Group of individuals (militias and soldiers)	No response	Attacks or killings, excessive force; death in custody
Colombia	JUA	20/08/2015 (COL 4/2015)	Group of individuals (human rights defender and farmer community)	Substantive response 25/09/2015	Death threats; attacks or killings
	JAL	3/02/2015 (COL 5/2015)	Group of individuals (human rights defenders)	Substantive response 28/04/2016	Attacks or killings; death threats
Democratic Republic of Congo	JAL	10/12/2015 (COD 5/2015)	Group of individuals (including human rights defenders and political activists)	Acknowledgment of receipt 29/01/2016 Addresses some substantive issues 11/02/2016 Addresses some substantive issues 02/03/2016	Excessive force; attacks or killings; impunity
Dominican Republic	JUA	30/04/2015 (DOM 1/2015)	4 individuals (journalists)	No response	Death threats

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
Ethiopia	JUA	12/05/2015 (ETH 3/2015)	1 male	No response	Death penalty safeguards
	JUA	28/12/2015 (ETH 5/2015)	Group of individuals (protesters)	No response	Excessive force; attacks or killings
Egypt	JUA	10/04/2015 (EGY 5/2015)	6 males	Substantive response 07/05/2015	Death penalty safeguards
	JUA	29/05/2015 (EGY 7/2015)	Group of individuals	Substantive Response 30/07/2015	Death penalty safeguards
	JAL	21/07/2015 (EGY 11/2015)	Legislation	Substantive response 05/08/2015	Legislation
	JUA	14/08/2015 (EGY 12/2015)	1 male	Substantive Response 11/12/2015	Death penalty safeguards
El Salvador	JAL	28/05/2015 (SLV 2/2015)	2 males (human rights defender)	Substantive response 27/07/2015 Substantive response 11/08/2015	Attacks or killings
The Gambia	JAL	09/04/2015 (GMB 1/2015)	3 males	No response	Excessive force, attacks or killings; impunity
	JUA	24/07/2015 (GMB 2/2015)	Legislation	No response	Legislation, death penalty safeguards
Guatemala	JAL	25/11/2015 (GTM 4/2015)	9 male (human rights defender - environment)	Substantive response 14/03/2016	Attacks or killings; death threats

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
	JUA	07/01/2016 (GTM 6/2015)	1 male (human rights defender)	No response	Death threats; attacks or killings
	JAL	26/02/2016 (GTM 2/2016)	Group of individuals	Acknowledgement of receipt 06/04/2016	Impunity
Honduras	JUA	31/08/2015 (HND 2/2015)	1 female (journalist and human rights defender)	No response	Death threats; Attacks or killings; impunity
	JAL	11/11/2015 (HND 3/2015)	4 individuals (human rights defenders - LGBTI rights)	Substantive response 01/02/2016	Attacks or killings
	JUA	14/01/2016 (HND 1/2016)	6 individuals (human rights defenders; indigenous community)	Substantive response 04/04/2016	Attacks or killings; Death threats; Excessive force
India	UA	17/04/2015 (IND 5/2015)	Group of individuals	No response	Excessive force; attacks or killings, death threats
	JUA	25/09/2015 (IND 11/2015)	1 male (human rights defender)	No response	Death threats; Attacks or killings
	JAL	06/11/2015 (IND 13/2015)	4 females	No response	Attacks or killings
Indonesia	JUA	06/03/2015 (IDN 2/2015)	10 individuals (including foreign nationals)	No response	Death penalty safeguards
	UA	24/04/2015 (IDN 4/2015)	9 males, 1 female (including foreign nationals)	No response	Death penalty safeguards
	JUA	21/05/2015 (IDN 5/2015)	Group of individuals (migrants)	No response	Expulsion
	JAL	07/07/2015	2 males (human rights defenders -	No response	Attacks or killings

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
		(IDN 3/2015)	environment)		
	JAL	09/10/2015 (IDN 8/2015)	Group of individuals (indigenous community, protesters)	No response	Excessive force; attacks or killings
Iran	JUA	12/02/2015 (IRN 3/2015)	1 male	Substantive response 16/06/2015 Substantive response 04/03/2016	Death penalty safeguards
	JUA	02/06/2015 (IRN 7/2015)	2 males	Substantive response 04/03/2016	Death penalty safeguards
	JUA	10/06/2015 (IRN 8/2015)	1 male	No response	Death penalty safeguards
	JUA	29/07/2015 (IRN 11/2015)	1 male	No response	Death penalty safeguards
	JUA	10/08/2015 (IRN 12/2015)	1 male	Addresses some substantive issues 24/11/2015	Death penalty safeguards
	JUA	13/10/2015 (IRN 18/2015)	1 male	Addresses some substantive issues 24/11/2015	Death penalty safeguards
	JAL	16/10/2015 (IRN 19/2015)	1 male, 1 female	Addresses some substantive issues 13/11/2015 Addresses some substantive issues 16/03/2016	Death penalty safeguards

Country	Type of communication*	Date and case	Subjects concerned	Reply and type of reply	Violations alleged
	JAL	29/10/2015 (IRN 16/2015)	1 male	Addresses some substantive issues 26/04/2016	Death penalty safeguards
	JUA	11/11/2015 (IRN 21/2015)	3 males	Addresses some substantive issues 18/04/2016	Death penalty safeguards
	JUA	24/11/2015 (IRN 22/2015)	1 male (foreign national)	No response	Death penalty safeguards
	JUA	20/01/2016 (IRN 3/2016)	1 female	No response	Death penalty safeguards
Iraq	JUA	04/05/2015 (IRQ 1/2015)	Group of individuals	No response	Attacks or killings
	JAL	30/07/2015 (IRQ 3/2015)	1 male	No response	Attacks or killings
	JUA	27/11/2015 (IRQ 5/2015)	2 male (foreign nationals)	Substantive response 11/01/2016	Death penalty safeguards
Israel	JAL	22/10/2015 (ISR 6/2015)	Group of individuals	No response	Excessive force; attacks or killings
	JUA	08/12/2015 (ISR 9/2015)	Group of individuals (human rights defenders)	No response	Attacks or killings; death threats; excessive force;
Lesotho	JUA	30/11/2015 (LSO 1/2015)	Group of individuals (judiciary, members of armed forces)	No response	Excessive force; attacks or killings; death in custody; death threats
	JUA	19/02/2016 (LSO 1/2016)	Group of individuals (lawyers)	No response	Death threats; attacks or killings
Madagascar	JAL	13/10/2015	Group of individuals	No response	Excessive force; attacks or

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
		(MDG 1/2015)			killings; impunity
Malaysia	JUA	21/05/2015 (MYS 2/2015)	Group of individuals (migrants)	No response	Expulsion
Mexico	UA	15/04/2015 (MEX 4/2015)	2 males, 1 female	Addresses some substantive issues 15/06/2015	Excessive force; attacks or killings, death threats
Nicaragua	JAL	23/03/2015 (NIC 2/2015)	2 males	No response	Death in custody; excessive force; death threats
Other	JAL	07/07/2015 (OTH 3/2015)	2 males (human rights defenders –environment)	Substantive response 23/07/2015	Attacks or killings
	JUA	16/11/2015 (OTH 9/2015)	1 male	No response	Death penalty safeguards
Pakistan	JUA	19/03/2015 (PAK 2/2015)	1 male	No response	Death penalty safeguards
	JAL	24/04/2015 (PAK 3/2015)	Group of individuals (health workers)	Substantive response 04/05/2015 Substantive response 18/05/2015	Attacks or killings
	JAL	22/06/2015 (PAK 1/2015)	Group of individuals	Addresses some substantive issues 21/08/2015	Attacks or killings, death penalty safeguards
	JUA	24/07/2015 (PAK 5/2015)	1 male	No response	Death penalty safeguards
	JUA	28/07/2015 (PAK 6/2015)	1 male	No response	Death penalty safeguards

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
	JUA	03/08/2015 (PAK 7/2015)	1 male	Addresses some substantive issues 05/08/2015	Death penalty safeguards
	JUA	28/09/2015 (PAK 10/2015)	1 male	No response	Death penalty safeguards
	JAL	02/12/2015 (PAK 12/2015)	1 male (journalist and human rights defender)	No response	Attacks or killings
	UA	18/12/2015 (PAK 14/2015)	1 male	No response	Death penalty safeguards
	JUA	01/02/2016 (PAK 3/2016)	1 male	No response	Death penalty safeguards
	JUA	24/02/2016 (PAK 5/2016)	1 female (human rights lawyer)	No response	Death threats
Peru	JUA	25/08/2015 (PER 3/2015)	1 female (human rights defender)	Addresses some substantive issues 14/04/2016	Death threats
Philippines	JAL	24/12/2015 (PHL 6/2015)	4 individuals (human rights defenders)	No response	Excessive force; attacks or killings
Russian Federation	JAL	06/03/2015 (RUS 1/2015)	1 male (political activist)	Addresses some substantive issues 20/05/2015	Attacks or killings
	JAL	02/09/2015 (RUS 5/2015)	1 male (journalist)	No response	Attacks or killings; death threats; impunity
South Africa	JAL	01/05/2015 (ZAF 1/2015)	Group of individuals (foreign nationals, migrants)	No response	Attacks or killings; impunity
	JAL	03/09/2015	1 female (albinism)	No response	Attacks or killings

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
		(ZAF 2/2015)			
Saudi Arabia	JUA	13/05/2015 (SAU 2/2015)	1 male	Substantive response 18/05/2015	Death penalty safeguards
	JUA	25/08/2015 (SAU 4/2015)	7 males (foreign nationals)	No response	Death penalty safeguards
	JUA	21/09/2015 (SAU 6/2015)	1 male	Response in translation 28/12/2015	Death penalty safeguards
	JUA	30/09/2015 (SAU 5/2015)	1 male (foreign national)	No response	Death penalty safeguards
	JUA	19/10/2015 (SAU 8/2015)	1 male	No response	Death penalty safeguards
	AL	09/11/2015 (SAU 9/2015)	Group of individuals (including humanitarian workers)	No response	Excessive force; attacks or killings; armed conflict
	JUA	30/11/2015 (SAU 10/2015)	1 male	Response in translation 04/03/2016	Death penalty safeguards
	JUA	24/12/2015 (SAU 12/2015)	1 male (foreign national)	No response	Death penalty safeguards
Singapore	JUA	30/10/2015 (SGP 3/2015)	1 male (foreign national)	No Response	Death penalty safeguards
Somalia	JUA	16/11/2015 (SOM 1/2015)	1 male	No response	Death penalty safeguards
Sudan	JUA	12/06/2015 (SDN 4/2015)	2 male (religious leaders)	No response	Death penalty safeguards
	JUA	20/01/2016	Group of individuals	Response in translation	Death penalty safeguards

Country	Type of communication*	Date and case	Subjects concerned	Reply and type of reply	Violations alleged
		(SDN 1/2016)		29/04/2016	
South Sudan	JAL	27/08/2015 (SSD 2/2015)	1 male (journalist)	No response	Attacks or killings
Thailand	JUA	21/05/2015 (THA 3/2015)	Group of individuals (migrants)	Substantive response 22/05/2015	Expulsion
	JUA	27/05/2015 (THA 5/2015)	4 males	Acknowledgement of receipt 02/06/2015	Attacks or killings; Impunity
Tchad	JAL	04/09/2015 (TCD 1/2015)	Group of individuals		Death penalty safeguards
Turkey	JAL	21/09/2015 (TUR 2/2015)	Group of individuals	Addresses some substantive issues 20/11/2015	Excessive use of force; Attacks or killings
	JUA	01/12/2015 (TUR 4/2015)	1 male (human rights lawyer)	Substantive response 31/12/2015	Attacks or killings;
	UA	24/12/2015 (TUR 5/2015)	Group of individuals	Addresses some substantive issues 1/02/2016	Excessive force; Attacks or killings; impunity
	JUA	21/01/2016 (TUR 1/2016)	Group of individuals	Addresses some substantive issues 25/02/2016	Excessive force; Attacks or killings
USA	UA	23/01/2015 (USA 2/2015)	1 male	Addresses some substantive issues USA 2/2015	Death penalty safeguards
	JAL	24/03/2015 (USA 5/2015)	6 males	Addresses some substantive issues 02/09/2015	Attacks or killings; Excessive force; Armed conflict

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
	JAL	10/04/2015 (USA 7/2015)	Group of individuals (African American and other minorities)	Acknowledgment of receipt 05/08/2015 Addresses some substantive issues 03/12/2015	Excessive force; death in custody; death penalty safeguards, impunity
	JAL	07/05/2015 (USA 9/2015)	3 males (migrants)	Acknowledgment of receipt 25/06/2015 Substantive response 23/12/2015	Excessive force; attacks or killings
	JAL	26/06/2015 (USA 13/2015)	1 male	Addresses some substantive issues 04/11/2015	Death penalty safeguards
	JUA	13/07/2015 USA 17/2015	1 male	Addresses some substantive issues 20/07/2015	Death penalty safeguards
	JAL	08/10/2015 (USA 18/2015)	Group of individuals (medical staff and patients)	No response	Excessive force; attacks or killings, armed conflict
	AL	01/12/2015 (USA 20/2015)	Group of individuals	No response	Attacks or killings, legislation
Venezuela	JAL	27/03/2015 VEN 4/2015	1 male	Addresses some substantive issues (29/05/2015) Substantive response (18/06/2015)	Excessive force; Attacks or killings
	JAL	24/02/2016 (VEN 2/2016)	1 male (human rights lawyer)	No response	Attacks or killings

Country	*Type of communication**	*Date and case*	*Subjects concerned*	*Reply and type of reply*	*Violations alleged*
Viet Nam	JUA	30/10/2015 (VNM 1/2015)	2 male, 1 female	No response	Death penalty safeguards, death in custody; death threats
	JUA	25/11/2015 (VNM 2/2015)	2 male; 1 female (including human rights lawyers)	No response	Excessive force, attacks or killings; death threats
Yemen	JAL	24/03/2015 (YEM 1/2015)	6 males	No response	Excessive force; attacks or killings; armed conflict
	AL	09/11/2015 (YEM 2/2015)	Group of individuals (including humanitarian workers)	No response	Excessive force; Attacks or killings; armed conflict

D. Communications sent outside the reporting period

Country	*Type of communication*	*Date*	*Subject(s) concerned*	*Reply*	*Violation(s) alleged*
Angola	JAL	05/12/2013 (AGO 5/2013)	Group of individuals	Substantive response 22/12/2015	Excessive force; Attacks or killings
Colombia	JUA	25/02/2014 (COL 3/2014)	Group of individuals (human rights defenders)	Addresses some substantive issues 19/10/2015 Substantive response 04/01/2016	Death threats; attacks or killings
	JAL	11/08/2014 (COL 6/2014)	Group of individuals (human rights defenders and unionists)	Addresses some substantive issues 20/05/2015 Addresses some substantive issues 19/10/2015	Attacks or killings; death threats
	JUA	13/09/2013 (COL 10/2013)	Group of individuals (human rights lawyers)	Addresses some substantive issues 12/08/2015	Attacks or killings, death threats
	JUA	27/01/2014 (COL 2/2014)	4 males (human rights defenders - land rights, journalist)	Substantive response 04/01/2016	Attacks or killings; Death threats
Iran	JUA	31/07/2013 (IRN 12/2013)	4 males	Addresses some substantive issues 15/06/2015	Death penalty safeguards

JAL	30/12/2013 (IRN 25/2013)	4 males	Addressed some substantive issues 15/06/2015	Death penalty safeguards
JUA	14/10/2014 (IRN 23/2014)	1 male	Substantive response 16/06/2015	Death penalty safeguards

E. Observations on Tabulation (A)

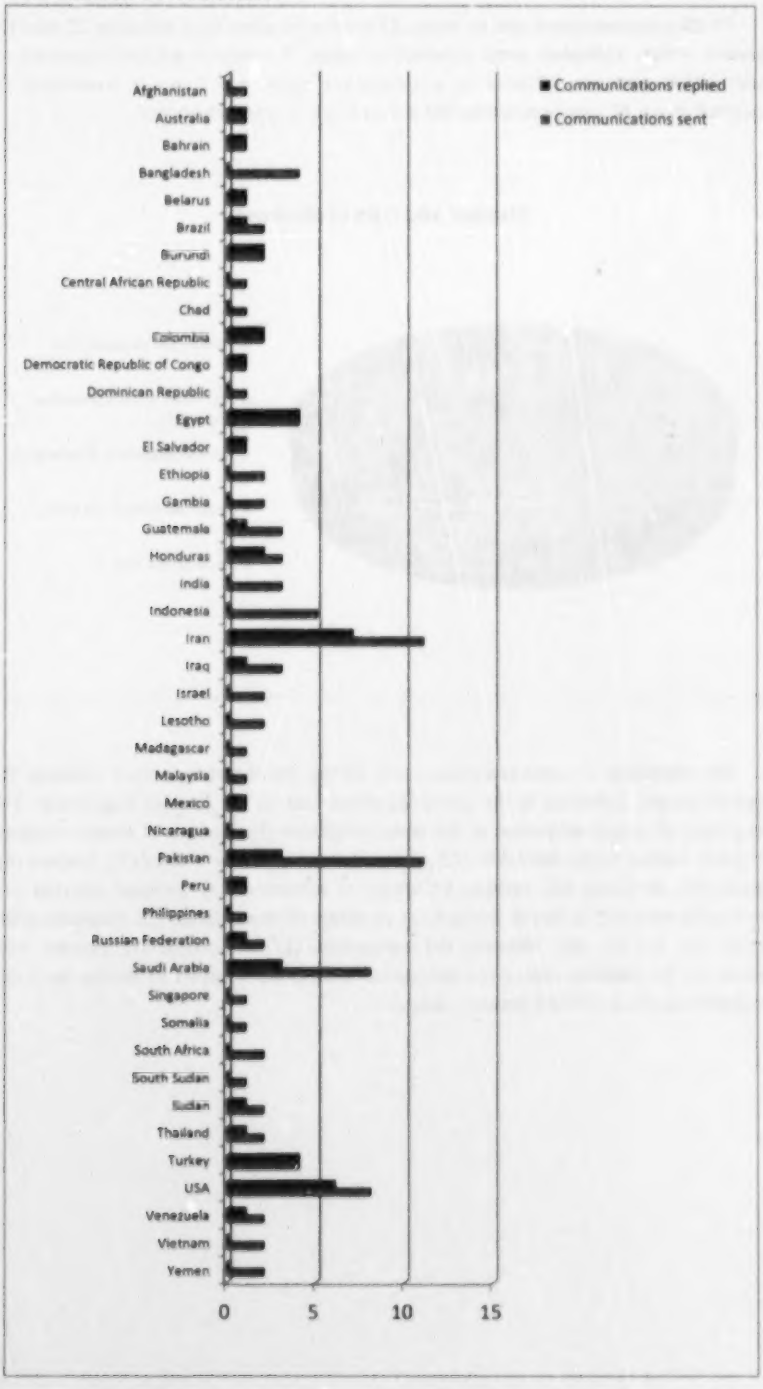
14. During the reporting period, many States have replied to one or more of the communications addressed to them (24 out of 44). The Special Rapporteur would like to thank all States who have responded substantively and in a timely manner to all or some of the communications sent (23). The assessment of individual cases in which the Special Rapporteur has intervened is an essential part of his work and he is grateful for the collaboration that he has received. The Special Rapporteur would like to thank particularly the Governments of Australia, Bahrain, Belarus, Burundi, Colombia, Democratic Republic of Congo, Egypt, El Salvador, Mexico, Peru, Russian Federation, Turkey and Venezuela for having replied substantively (addressing all or some of the questions raised) and within the required deadline to all the communications addressed to them in the reporting period.

15. A handful of States did not submit a timely reply to any of the communications sent, or have submitted merely an acknowledgement of receipt, including: Afghanistan, Bangladesh, Central African Republic, Dominican Republic, Ethiopia, The Gambia, India, Indonesia, Israel, Lesotho, Madagascar, Malaysia, Nicaragua, Philippines, South Africa, Singapore, Somalia, South Sudan, Tchad, Vietnam, Yemen. The responses from some of these States have arrived after the required deadline and for that reason fall outside of the reporting period of the present report.

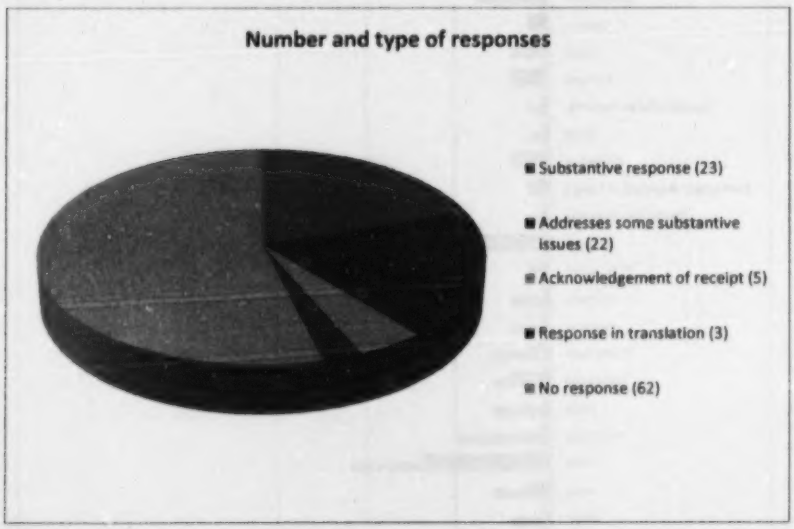
16. In all instances where no responses were received, the Special Rapporteur urges Governments to provide substantive responses as soon as possible.

17. To provide a global perspective on the communications with States during the reporting period, the table below reflects the number of communications sent to each State and the number of replies of a substantive nature received from them within the required deadline. Such replies comprise both substantive replies and replies which address some substantive issues. Acknowledgements of receipt are not considered as a reply for the purpose of this table, as they do not provide an effective response to the questions raised in the cases transmitted to Governments.

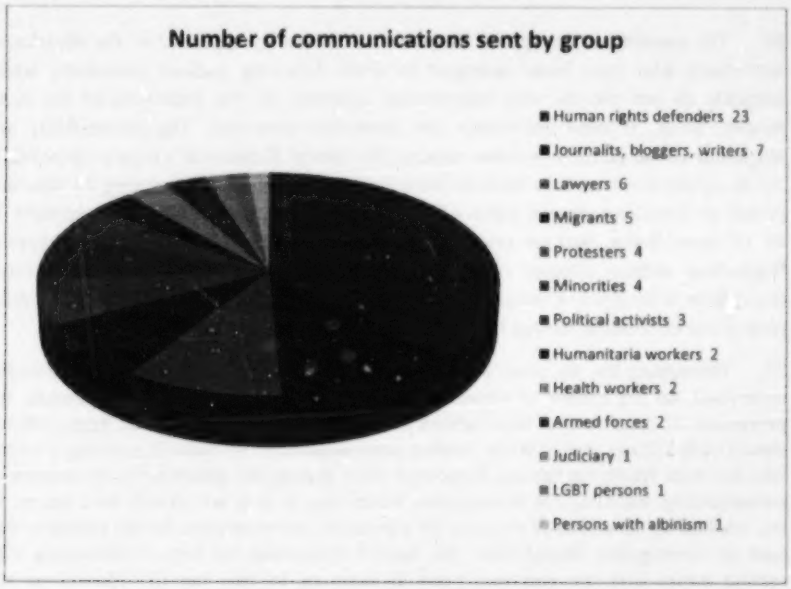
Communications with States



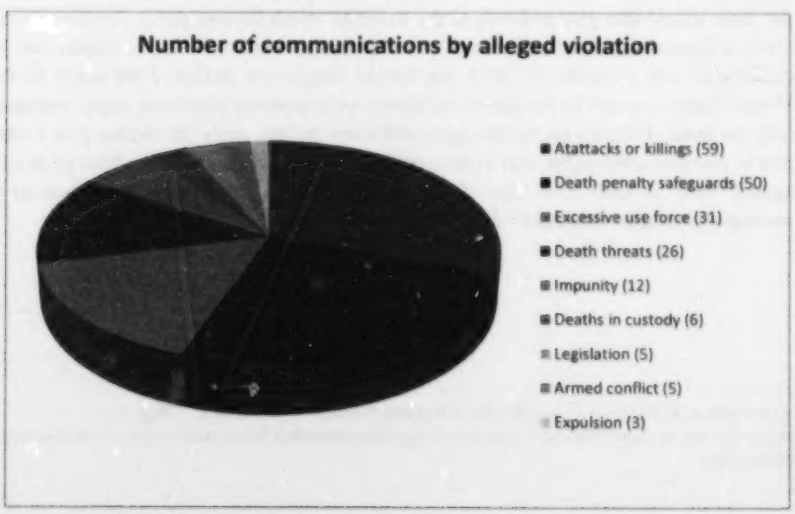
18. Of all communications sent to States, 23 received a substantive response, 22 received responses which addressed some substantive issues, 5 received acknowledgements of receipt which were not followed by a substantive reply, and 3 are in translation. As mentioned above, 62 communications did not receive any type of response.


Number and type of responses
Substantive response (23)
Addresses some substantive issues (22)
Acknowledgement of receipt (5)
Response in translation (3)
No response (62)

19. The tabulation of communications sent during the reporting period indicates the groups of people addressed in the communications sent by the Special Rapporteur. The main groups of people addressed in the communications (by number of communications sent) were: human rights defenders (23), journalists, bloggers or writers (7), lawyers (6), migrants (5), protesters (4), persons belonging to minorities (4), political activists (3), humanitarian workers (2), health workers (2), members of armed forces (2), members of the judiciary (1), lesbian, gay, bisexual and transgender (LGBT) people (1), persons with albinism (1). In addition, eight communications address the situation of foreign nationals for alleged violations of death penalty safeguards.



20. The main alleged violations covered in the communications sent during the reporting period were: attacks or killings (59); violation of death penalty safeguards (50), excessive use of force (31), death threats (26), impunity for violations of the right to life (12), deaths in custody (6), concerns about legislative frameworks (5), violations of the right to life in the context of armed conflict (5), and expulsion (3). Alleged attacks or killings and violations of the death penalty, feature prominently again this year in the number of communications sent.



21. The mandate of the Special Rapporteur is frequently appraised of the situation of individuals who have been sentenced to death following judicial procedures which allegedly do not comply with international standards for the imposition of the death penalty. Many of these individuals face immediate execution. The irreversibility and magnitude of the punishment often requires the Special Rapporteur's urgent intervention. All the countries which have received more than five communications during the reporting period are indeed retentionist states which continue to execute death penalty sentences. In all of those States, half or more of the communications received from the Special Rapporteur address alleged violations of death penalty safeguards. A more detail description of the types of violations addressed with regards to the imposition of the death penalty can be found in Section VI.

22. Throughout the six years of his mandate, the Special Rapporteur has continually underlined the importance of viewing the right to life as having two components: the prevention of or protection from arbitrary killings, and the need for full accountability should such killings occur. When sending communications to States concerning a victim who has been killed, the Special Rapporteur often focuses his questions on the process of accountability, including the investigation which may or may not already have begun. In this connection, conscious of the need for a practical reference point for the standards that such an investigation should meet, the Special Rapporteur has been collaborating with various actors over the past two years to bring up to date the UN Manual on the Investigation and Prevention of Extra-Legal, Arbitrary or Summary Executions (known as the Minnesota Protocol).[1]

23. The Special Rapporteur is conscious of having sent a number of communications in the past year concerning the targeting of human rights defenders. Of course, in the vast majority of these cases the Special Rapporteur has been joined by the Special Rapporteur on the situation of human rights defenders. Whether the attack or threat of attack is perpetrated by State agents, or whether State agents fail in their responsibility to protect defenders from attacks at the hands of non-State actors, the State's responsibilities with respect to the right to life are clearly engaged in such instances. In addition to direct protection measures, which may be appropriate and indeed necessary in certain conditions, the State should also give attention to the extent to which its own public response to the work of human rights defenders may be legitimising a climate in which attacks can be perpetrated with impunity. In 2012, the Special Rapporteur dedicated his report to the Human Rights Council to the subject of attacks on journalists, which has many analogies with the issue of attacks on human rights defenders. In both cases the victims play a vital role in enabling other rights, and in both cases the level of response of the State to threats against them or their work can significantly determine the dangers they face as a consequence of their important work.

[1] A description of the process to update the Minnesota Protocol is available at http://www.ohchr.org/EN/Issues/Executions/Pages/RevisionoftheUNManualPreventionExtraLegalArbitrary.aspx

III. Tabulation (B) of cases transmitted to States concerning alleged violations of death penalty safeguards

24. Because of the urgency of the cases brought to his attention, the Special Rapporteur sends many communications concerning the unlawful application of the death penalty.

25. In its resolution 17/5, the Human Rights Council requested the Special Rapporteur in carrying out his mandate "[t]o continue to monitor the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee in its interpretation of article 6 of the International Covenant on Civil and Political Rights, as well as the Second Optional Protocol thereto;". In this respect, the Special Rapporteur has included the following table on the status of individuals who were the subject of concern with regard to the application of the death penalty in the present report. He urges all concerned States to provide updated information on the status of the subjects of these urgent appeals.

26. Tabulation (B) provides details on the 50 cases transmitted to Governments with regards to alleged violations of death penalty safeguards, including identity of the individuals concerned, the charges brought against them, the alleged violations of death penalty safeguards, and an update on the current situation of those individuals (whether executions had taken place or not).

A. Violations alleged

27. In Tabulation (B) of cases transmitted to States concerning alleged violations of death penalty safeguards, the violations are classified into the following categories:

(a) Fair trial concerns.
(b) Not "most serious crimes".
(c) Extraction of confession under torture
(d) Juvenile at time of offense.
(e) Execution of a person with intellectual or psychosocial disability.
(f) Imposition of the death penalty by Federal Government for facts which occurred in abolitionist state.
(g) Assistance of abolitionist State in the investigation of crimes that may result in the imposition of the death penalty in another State.

B. Tabulation (B)

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
Australia	20/11/2015	07/01/2016	Mr. Areeb Majeed	Terrorist acts	Assistance of abolitionist State in the investigation of crimes that may result in the imposition of the death penalty in another State	Remains at risk
Bahrain	23/11/2015	23/02/2016	Mr. Mohamad Ramadan and Mr. Husain Ali Moosa	Terrorist acts	Fair trial concerns	Remains at risk
Bangladesh	23/11/2015		Mr. Ali Ahsan Mohammad Mujahid and Mr. Salauddin Quader Chowdhury	War crimes; genocide.	Fair trial concerns	Mr. Ali Ahsan Mohammad Mujahid and Mr. Salauddin Quader Chowdhury were executed—22/11/2015
Egypt	10/04/2015	07/05/2015	Mr. Mohamed Ali Afifi Badawi, Mr. Mohammad Bakrin Mohammad Haroun, Mr. Hani Mustafa Amin Amer, Mr. Islam Sayed Ahmed Ibrahim, Mr. Khaled Farag Mohammed Ali and one other male adult.	Terrorist acts	Fair trial concerns	Mr. Mohamed Ali Afifi Badawi, Mr. Mohammad Bakrin Mohammad Haroun, Mr. Hani Mustafa Amin Amer, Mr. Islam Sayed Ahmed Ibrahim, Mr. Khaled Farag Mohammed Ali and one other male adult were executed before 17/05/2015
	29/05/2015	30/07/2015	Mr. Mohamed Morsi Eissa El Ayyat and members of his Government	Murder; escaping detention; leaking documents; fraud; insulting the	Fair trial concerns; not most serious crimes.	Remain at risk

Country	Date appeal sent	Date response received	Name of individual	Charge alleged	Violation alleged	Status as far as could be established
				judiciary.		
	14/08/2015	11/12/2015	Mr. Ibrahim Halawa	Terrorist acts	Fair trial concerns; juvenile at time of offense.	Remain at risk
Ethiopia	12/05/2015		Mr. Andargachew Tsege	Terrorist acts	Fair trial concerns	Remains at risk
Indonesia	06/03/2015		Mr. Andrew Chan, Mr. Myuran Sukumaran, Mr Raheem Agbaje Salami, Mr. Zainal Abidin, Mr. Martin Anderson and Mr. Rodrigo Gularte.	Drug offences	Fair trial concerns; not most serious crimes; execution of a person with intellectual or psychosocial disability.	Mr. Andrew Chan, Mr. Myuran Sukumaran, Mr Raheem Agbaje Salami, Mr. Zainal Abidin, Mr. Martin Anderson and Mr. Rodrigo Gularte and two other persons were executed—29/04/2016.
	24/04/2015		Mr. Andrew Chan, Mr. Myuran Sukumaran, Mr Raheem Agbaje Salami, Mr. Zainal Abidin, Mr. Martin Anderson and Mr. Rodrigo Gularte, Ms. Mary Jane Fiesta Veloso, Mr. Sylvester Obiekwe Nwolise, Mr. Okwudili Oyatanze and one other person.	Drug offences	Fair trial concerns; not most serious crimes; execution of a person with intellectual or psychosocial disability.	Mr. Andrew Chan, Mr. Myuran Sukumaran, Mr Raheem Agbaje Salami, Mr. Zainal Abidin, Mr. Martin Anderson, Mr. Rodrigo Gularte, Mr. Sylvester Obiekwe Nwolise and Mr. Okwudili Oyatanze were executed —29/04/2016; Ms. Mary Jane Fiesta Veloso remains at risk.
Iran	02/06/2015	04/03/2016	Mr. Saman Naseem and Mr. Hamid Ahmadi	Enmity against God; corruption on earth; murder.	Fair trial concerns; juvenile at time of offense.	Remain at risk
	10/06/2015		Mr. Ehsan Shah Ghasem	Murder	Fair trial concerns	Remains at risk
	29/07/2015		Mr. Salar Shadizadi	Murder	Juvenile at time of offense	Remains at risk

Country	Date appeal sent	Date response received	Name of individual	Charge alleged	Violation alleged	Status as far as could be established
	10/08/2015		Dr. Mohammad Ali Taheri	Spreading corruption on earth	Not most serious crime	Remains at risk
	13/10/2015	24/11/2015	Mr. Mohammed Ali Taheri	Spreading corruption on earth	Not most serious crime	Remains at risk
	16/10/2015	13/11/2015 and 16/03/2016	Ms. Fatemeh Salbehi and Mr. Samad Zahabi	Murder	Fair trial concerns; juvenile at time of offense.	Ms. Salbehil was executed—13/10/2015; Mr. Zahabi was executed—06/10/2015
	29/10/2015	26/04/2016	Mr. Behrouz Alkhani	Enmity against God; terrorist acts.	Fair trial concerns	Mr. Alkhani was executed—26/08/2015
	11/11/2015	18/04/2016	Mr. Mohammad Ali Zehi and Mr. Milad Azimi	Drug offenses; waging war against God; links to Salafist groups; propaganda against the system; murder.	Fair trial concerns; juvenile at time of offense; not most serious crime.	Remain at risk
	24/11/2015		Mr. Kelven Ozube Agbai	Drug offenses	Fair trial concerns; not most serious crime.	Remains at risk
	31/07/2015	15/06/2015	Mr. Ghazi Abbasi, Mr. Abdul-Reza Amir-Khanafereh, Mr. Abdul-Amir Mojaddami and Mr. Jasim Moghaddam Payam	Enmity against God; corruption on earth.	Fair trial concerns	Mr. Ghazi Abbasi, Mr. Abdul-Reza Amir-Khanafereh, Mr. Abdul-Amir Mojaddami and Mr. Jasim Moghaddam Payam were executed—04/12/2013.
	20/01/2016		Ms. Fariba Khalegi	Adultery	Fair trial co.icerns; not most serious	Remains at risk

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
					crime.	
Iraq	27/11/2015	11/01/2016	Mr. Saleh Moussa Ahmed alBaidany and Mr. Hamaad Abdel-Rahman Hamaad	Terrorist acts	Fair trial concerns; juvenile at time of offense.	Unknown
Other	16/11/2015	10/05/2016	Mr. Abdullahi Ali	Murder	Execution of a person with intellectual or psychological disabilities	Remains at risk
Pakistan	19/03/2015		Mr. Shafqat Hussain	Kidnapping and involuntary manslaughter	Fair trial concerns; juvenile at time of offense.	Mr. Shafqat Hussain was executed—04/08/2015
	03/08/2015	05/08/2015	Mr. Shafqat Hussain	Kidnapping and involuntary manslaughter	Fair trial concerns; juvenile at time of offense.	Mr. Shafqat Hussain was executed—04/08/2015
	24/07/2015		Mr. Abdul Basit	Murder	Fair trial concerns	Remains at risk
	01/02/2016		Mr. Abdul Basit	Murder	Fair trial concerns	Remains at risk
	28/07/2015		Mr. Khizar Hayat	Murder	Fair trial concerns; execution of a person with intellectual or psychological disabilities	Remains at risk
	28/09/2015		Mr. Ansar Iqbal	Murder	Fair trial concerns; juvenile at time of offense.	Mr. Ansar Iqbal was executed—29/09/2015
	18/12/2015		Mr. Muhammad Anwar	Murder	Juvenile at time of offence	Remains at risk
Saudi Arabia	25/08/2015		Mr. Mohammad Afzal, Mr. Safeer Ahmad, Mr. Mohammad Fiaz, Mr. Mohammad Imran, Mr.	Drug offences	Fair trial concerns; not most serious crime.	Remain at risk

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
			Ghulam Shabbir, Mr. Mohammad Irfan and Mr. Liaquat Ali			
	21/09/2015	28/12/2015	Mr. Ali Mohammed al-Nimr	Treason; membership of terrorist group.	Fair trial concerns; juvenile at time of offence.	Remains at risk
	30/09/2015		Mr. Husain Abu al Khair	Drug offences	Fair trial concerns; not most serious crime.	Remains at risk
	19/10/2015		Mr. Dawood Hussain al-Marhoon	Sowing corruption and breaching security; participation in protests; terrorism-related offences.	Fair trial concerns; juvenile at time of offence.	Remains at risk
	30/11/2015	04/03/2016	Mr. Ashraf Fayadh	Apostasy; blasphemy.	Fair trial concerns; Not most serious crime.	Sentence overturned to prison sentence and corporal punishment.
	13/05/2015	18/05/2015 and 26/10/2015	Mr. Sheikh Nimr Baqir Al-Nimr	Terrorism-related offences	Fair trial concerns	Mr. Sheikh Nimr Baqir Al-Nimr was executed—around 02/01/2016.
	24/12/2015		Mr. Ali Agirdas	Drug offences	Fair trial concerns; not most serious crime.	Mr. Ali Agirdas was executed—20/11/2014
Singapore	30/10/2015		Mr. Kho Jabing	Murder	Fair trial concerns	Mr. Kho Jabing was executed—20/05/2016
Somalia	16/11/2015		Mr. Abdullahi Ali	Murder	Fair trial concerns; execution of a person with intellectual or psychological	Remains at risk

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
					disabilities.	
Sudan	20/01/2016	29/04/2016	27 individuals	Apostasy	Juvenile at time of offense; Fair trial concerns; not most serious crime.	Remain at risk
Tchad	04/09/2015		10 individuals	Membership of a terrorist group	Fair trial concerns.	Unknown
USA	10/04/2015	05/08/2015 and 03/12/2015	Group of individuals	Unknown	Fair trial concerns	One person died in custody; none was executed.
	26/06/2015	04/11/2015	One adult male	Murder	Fair trial concerns; imposition of the death penalty by Federal Government for facts which occurred in abolitionist state.	Remains at risk
	13/07/2015	20/07/2015	Mr. David Zink	Murder	Fair trial concerns; execution of a person with intellectual or psychological disabilities.	Mr. David Zink was executed—14/07/2015
Viet Nam	30/10/2015		Mr. Le Van Manh	Murder; rape.	Fair trial concerns;	Remains at risk

C. Communications sent outside the reporting period

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
Iran	30/12/2013	15/06/2015	Mr. Ghazi Abbasi, Mr. Abdul-Reza Amir-Khanafereh, Mr. Abdul-Amir Mojaddami and Mr. Jasim Moghaddam Payam	Enmity against God; corruption on earth.	Fair trial concerns	Mr. Ghazi Abbasi, Mr. Abdul-Reza Amir-Khanafereh, Mr. Abdul-Amir Mojaddami and Mr. Jasim Moghaddam Payam were executed—04/12/2013.
	14/10/2014	16/06/2015 and 04/03/2016	Mr. Saman Naseem	Enmity against God; corruption on earth.	Fair trial concerns	Remains at risk.
	12/02/2015	16/06/2015 and 04/03/2016	Mr. Saman Naseem	Enmity against God; corruption on earth.	Fair trial concerns	Remains at risk.
USA	23/01/2015	19/06/2015	Mr. Warren Hill	Murder	Execution of a person with intellectual or psychological disabilities	Mr. Warren Hill was executed—27/01/2015

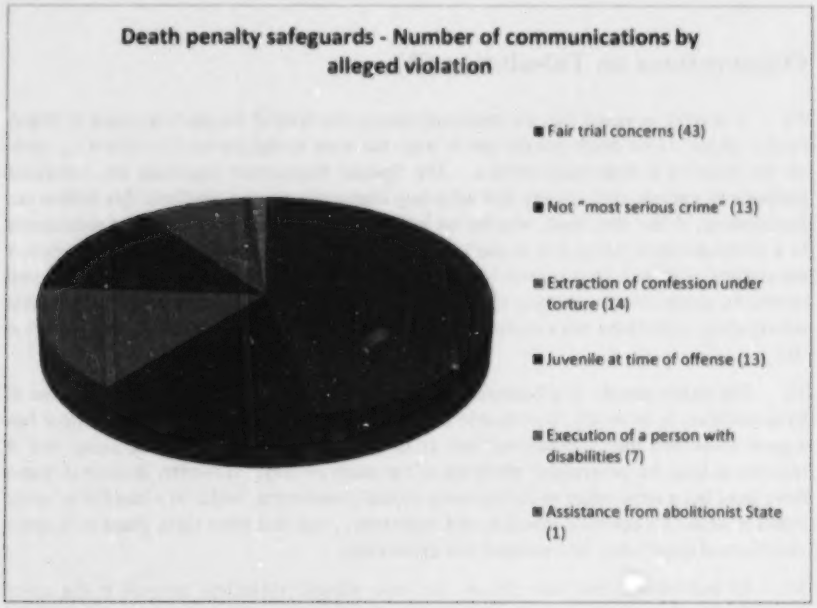
D. Observations on Tabulation (B)

28. It should be noted that the communications the Special Rapporteur sends to States on the subject of the death penalty are in ways the most straightforward to follow-up upon on the basis of a desk-based review. The Special Rapporteur expresses his continued gratitude to various civil society and advocacy organisations who facilitate this follow up. Establishing, at the very least, whether an individual has indeed been executed subsequent to a communication being sent to the Government provides a helpful reference to whether the sending of these urgent appeals is effective in ensuring that States abide by international standards, prospectively, in their application of the death penalty. According to available information, executions were registered in 8 of the 15 countries addressed in Tabulation (B).

29. The death penalty is a barbaric punishment which, viewed from the perspective of State practice, is in steady, irrevocable and terminal decline. The Special Rapporteur has argued elsewhere that international law is in principle abolitionist, in the sense that it requires at least the progressive abolition of the death penalty.[2] However, in several States there have been steps taken to re-introduce capital punishment, while in a handful of other States it remains a common practice, and, regrettably, one that often takes place in flagrant violations of established international law protections.

30. As indicated in the table below, the main alleged violations covered in the cases transmitted to Governments during the reporting period were: fair trial concerns in judicial procedures leading to the imposition of the death penalty (43); the imposition of the death penalty for crimes which do not meet the threshold of the "most serious crimes" (13); extraction of confessions under torture (14); juvenile at time of offense (13); execution of a person with intellectual or psychosocial disability (7); assistance of abolitionist State in the investigation of crimes that may result in the imposition of the death penalty in another State (1); and the imposition of the death penalty by Federal Government for facts which occurred in abolitionist state (1).

[2] Christof Heyns & Thomas Probert 'The right to life and the progressive abolition of the death penalty' in *Moving Away from the Death Penalty: Argument, Trends and Perspectives* (New York: United Nations, 2015)


Death penalty safeguards - Number of communications by alleged violation
Fair trial concerns (43)
Not "most serious crime" (13)
Extraction of confession under torture (14)
Juvenile at time of offense (13)
Execution of a person with disabilities (7)
Assistance from abolitionist State (1)

31. The Special Rapporteur is concerned about the alarming number of cases in which the death sentence was allegedly imposed following judicial procedures that fall short of international standards of fair trial and due process, a necessary requirement for the lawful imposition of this type of punishment. Forty-three out of the 50 communications considered in Tabulation (B) address this issue. One of the most dangerous abuses addressed in communications appears to be the use of the death penalty for crimes that are not the "most serious". During the past year, the Special Rapporteur sent 13 communications about the imposition of the death penalty for various offences that do not meet this threshold.

32. In this connection, the Special Rapporteur particularly highlights the imposition of the death penalty for drugs offences. In 2015, the World Day Against the Death Penalty was used to underscore the extent of this problem. Moreover, earlier this year, the Special Rapporteur joined a demarche of several Rapporteurs to the UN General Assembly Special Session on drugs in which they made clear that 'the application of capital punishment for drug-related offenses directly contravenes international human rights law' and urged States 'to make immediate commitments towards its full abolition.'[3]

33. The Special Rapporteur has also frequently sent communications regarding the planned execution of individuals who must be protected from the death penalty (20): most commonly those suffering from a psycho-social disability (7 communications), or those who have been convicted for crimes committed as juveniles, in some cases those who are

[3] Joint Open Letter by the UN Working Group on Arbitrary Detention; the Special Rapporteurs on extrajudicial, summary or arbitrary executions; torture and other cruel, inhuman or degrading treatment or punishment; the right of everyone to the highest attainable standard of mental and physical health; and the Committee on the Rights of the Child, on the occasion of the United Nation General Assembly Special Session on Drugs New York, 19-21 April 2016 http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19828&LangID=E

still juveniles (13 communications). In this latter case, the Special Rapporteur underlines that the burden of proof should rest on the prosecution to demonstrate that a defendant was an adult at the time the crime was perpetrated.

34. The Special Rapporteur is also concerned about the number of instances in which he has addressed allegations of a capital sentence being proposed against an individual after a "trial" in or before which evidence has been derived from torture (14 communications). This manifestly undermines the credibility that the sentence is being imposed after a fair trial. In addition, 26 communications address overall allegations of torture of individuals who have been sentenced to death.